

In re: Michael W. Blodgett

ATTACHMENT

Rule 20 General Appendix Regarding Jurisdiction and Standing In Aid of Supreme Court's Jurisdiction

Rule 20.3(a): "A petition seeking...a writ of mandamus...shall set out with particularity why the relief sought is not available in any other court. A copy of the judgment with respect to which the writ is sought, including any related opinion, shall be appended to the petition, together with any other document essential to understanding the petition."

Rule 39: Rule 39.1, 39.2, 39.3, 39.4 IFP filing and docketing...

Rule 14.5 Corrections resubmitted within 60 days of Notice from Clerk

Item

Mandamus App. No.

General Appendix Included Here Re: In Aid of Court's Exercise of Jurisdiction

A-1 April 7, 2022 Eighth Circuit Mandamus denied.as No. 22-1208 A-1, C-100

A-2 JUDGMENT APRIL 07, 2022

A-2 C 101

A-3 C-102 03/10/22 Notice of Docket Activity

A-3 C-102

A-4 C-103 March 10, 2022 RE" 22-1508

A-4 C-103-104

A-6 C-105 Docket Activity Case Number: 22-1508

A-6 C-105

A-7 C-106 General Docket 3-92-123

A-7 C-106-109

A-8 C-84 GENERAL Docket 3-92-123

A-8 – C-88-C-91

A-7 C-92-94 March 10, 2022 RE: 22-1508

A-7 C- 92- C-94

C-200 – C-201 Cover Pages March 3, 2022 Mandamus to Eighth Circuit

AMG v. FTC Opinion issues April 22, 2021 141 S. Ct. 1341

(FTC § 13(b) restitution not authorized by text, illegal, punitive, must be refunded. (vertical stare decisis)

B-1-B-15

\$38,046,524.00 Proof of Claim (Blodgetts transferred personal, marital untainted FTC § 13(b) restitution assets 03/04/1992) with no actual or imminent harm to consumers, no probable cause, no victims). 'Blodgetts restitution assets transferred-valued by FTC @ \$38,046,524.00. All assets listed in Final Order transferred ,to FTC under Eighth Circuit's supervision ...never returned to Blodgetts) (13(b) damages to be refunded B-16

Blodgetts Actual Innocence Final Order March 4th, 1992 B-17 – B-19

March 4, 1992 Final Order stated:

- "Defendants' agreement to entry of this final judgment...under § 13(b) of the FTC Act, 15 U. S. C. § 53(b), in no way constitutes an admission by defendants...that they have engaged in any illegal or wrongful conduct of any nature whatsoever, or that any person has sustained damages or suffered harm by reason of any of the allegations in the Commission's complaint or otherwise." Final Order p. 1-2 (Emp. Added)

(As material to Coram Nobis jurisdiction) B-17-19

Clarifying Order 4/24/92 – Final Order enforceable contract (as material to Court's Rule 10 supervisory jurisdiction) B-22- 23

District court Retention of Jurisdiction for "construction, modification enforcement" (as material to Court's Rule 10 supervisory jurisdiction) B-22

Correspondence Per Eighth Circuit

Eighth Circuit Dismissal of Mandamus Mandate No. 22-1508 4/07/22 A-1, C--100

Eighth Circuit 4/07/22 No. 22-1508 'JUDGMENT "denied" A-2, C-101

Eighth Circuit 3/10/2022 No. 22-1508 PETITION for Writ of Mandamus ...filed by Petitioner Michael W. Blodgett w/service 03/03/2022 Document Description: Petition for Writ of Mandamus; Appendix 1; Appendix 2 A-5, C-102

Eighth Circuit 3/10/2022 "A petition for writ has been filed under the above-referenced number. [No. 22-1508] The matter cannot be referred to the court for a ruling on the merits because

you have not paid the required \$500.00 docketing fee...” A-4, C-103-104

Eighth Circuit 03/16/2022 No. 22-1508 “MOTION for leave to proceed on appeal in forma pauperis, filed by Petitioner Michael W. Blodgett w/service 03/03/2022 [22-1508] Document Description: Motion for IFP” A-6, C-105

General Docket “Court of Appeals Docket # 21-1215 Docketed: 01/29/2021 Termed: 04/19/2021 District: 3:92-cr-00123-PAM-1 Date Order/Judgment: 01/05/2021 Date NOA Filed: 01/27/2021 Date Rec’d COA 01/28/2021 A-7, C-106

02/17/2021 UPDATED fee status – CHANGE TO IFP (Case Number 21-1215: In Forma Pauperis [21-1215] [Entered 02/17/2021 11:09 AM] A-9, C-108

CASE SUBMITTED 04/14/2021 A-9, C-108

JUDGMENT FILED – The decision of the district court is affirmed under Eighth Circuit Rule 47A entered: 04/19/2021 09:41 AM] A-9, C-108

General Docket Court of Appeals Docket #: 21-1215 Docketed: 01/29/2021 Fee Status: In Forma Pauperis A-8, C-84

04/19/2021 JUDGMENT FILED – The decision of the district court is affirmed under Eighth Circuit Rule 47A A-9, C-86

06/04/2021 PETITION for rehearing by panel filed by Appellant Mr. Michael W. Blodgett [21-1215] [Never filed by Blodgett) A-9, C-86

06/29/2021 JUDGE ORDER :Denying as untimely and over-length p4tition for rehearing by panel filed by Appellant Mr. Michael W. Blodgett. Adp Apr 2021 [5050204] [21-1215] (CMD) A-9, C-86

April 19, 2021 RE: 21-1215 “... note particularly that petitions for rehearing must be received by the clerk’s office within the time set by FRAP 40 in cases where the United States or an officer or agency thereof is a party (within 45 days of entry of judgment) A-11, C-88.

Mandamus Filed at Eighth Circuit 3/03/2022	A-7
March 10, 2022 RE: 22-1508 “A petition for writ has been filed under the above referenced number...”	C-92
Supreme Court 1/21/2022	A-9
Coram Nobis filed in district court 12/23/20 with Appendix	C-1-C-66
ORDER dismissing Coram Nobis without a hearing 1/05/2022	C-67-C-70
Typical Canon Examples from Tennessee	A-71 – A-80
Dismissal of Appeal 21-1215 FRAP R. 47 despite stay	A-81
Dismissal of sua sponte out-of-time overlength	R
Additional Jurisdiction and Standing	
AMG v. FTC Opinion	B-1-B-15
\$38,046,524.00 Proof of Claim (“unsecured” perjured	B-16
Actual Innocence Final Order March 4th, 1992	B-17 – B-19
Final Order stated:	
<ul style="list-style-type: none"> March 4, 1992 “Defendants’ agreement to entry of this final judgment...under § 13(b) of the FTC Act, 15 U. S. C. § 53(b), in no way constitutes an admission by defendants...that they have engaged in any illegal or wrongful conduct of any nature whatsoever, or that any person has sustained damages or suffered harm by reason of any of the allegations in the Commission’s complaint or otherwise.” Final Order p. 1-2 (Emp. Added) APP-B-17-19 	
Retention of Jurisdiction	B-21
Blodgett assets turned over March 4, 1992	App-23-25
Clarifying Order 4/24/92 – enforceable contract	B-22- 23
RULES of Supreme Court of the United States July 1, 2019	
fully support Mandamus relief and Docketing	
Rule 20 2. .	

Rule 39. Proceedings In Forma Pauperis 1, 2, 4, 7

Gilbert's "two alternatives" November 11, 1991 no probable cause	B-24 – B-28
Diane Blodgett paid over more assets	B-29 – B-30
LISTS of assets turned over as Restitution	B-36 – B-62
No. 59 EXECURORY CONTRACTS IN BANKRUPTCY	B-71 – B-74
Procedural Posture of Case	A-1 – A-9
Three Cases That Never Should Have Been Prosecuted	R
FRAP R 47	A-68 – A-70
Excerpts from Vartian confession	C-123 – C-127
Blodgett Affidavit Concerning Money Laundering, State of Minnesota	A.800, R

B-16

United States Bankruptcy Court
District of Minnesota

PROOF OF CLAIM

In re: T.G. Morgan, Inc. Case Number 92-40578 RIK

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" of payment of an administrative expense may be filed pursuant to 11 U.S.C. § 501.

Name of Creditor
(The person or entity to whom the debtor owes money or property)
Federal Trade Commission

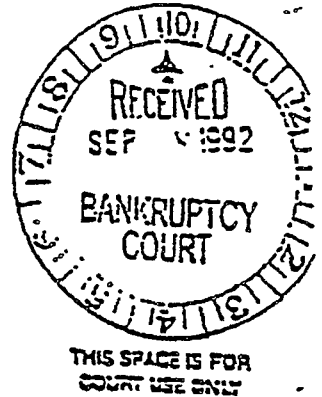
Address and Address(es) Where Notices Should Be Sent
Bennett Rushkoff
Federal Trade Commission
Room 200
6th St. & Pennsylvania Ave., N.W.
Washington, DC 20580
Telephone No. (202) 326-3439

Check box if you are aware that anyone has filed a proof of claim relating to your claim. Attach copy of evidence giving particulars.
(Attachment B)

Check box if you have never received any notices from the bankruptcy court in this case.

Check box if the address differs from the address on the envelope sent to you by the court.

Check here if this claim: ☐ involves a previously filed claim, dated: _____
☐ amends _____



1. BASIS FOR CLAIM:

☐ Goods sold
☐ Services performed
☐ Money loaned
☐ Personal injury/wrongful death
☐ Taxes
☒ Other (Describe briefly) violation of § 5(a) of FTC Act

☐ Retiree benefits as defined in 11 U.S.C. § 1114(a)
☐ Wages, salaries, and commissions (Fill out below)
Your social security number: _____
"Unpaid" compensation for services performed from _____ to _____ (date)

2. DATE DEBT WAS INCURRED: Jan. 1, 1987 to Feb. 10, 1992

3. IF COURT JUDGMENT, DATE OBTAINED: March 5, 1992 (Attachment A)

4. CLASSIFICATION OF CLAIM: Under the Bankruptcy Code all claims are classified as one or more of the following: (1) Unsecured nonpriority, (2) Unsecured Priority, (3) Secured. It is possible for part of a claim to be in one category and part in another. CHECK THE APPROPRIATE BOX OR BOXES that best describe your claim and STATE THE AMOUNT OF THE CLAIM.

5. SECURED CLAIM: _____
Attach evidence of perfection of security interest.
Brief Description of Collateral:
☐ Real Estate ☐ Motor Vehicle ☐ Other (Describe briefly) _____

Amount of mortgage and other charges included in secured claim above:
\$ 38,056,174*

UNSECURED NONPRIORITY CLAIM: _____
A claim is unsecured if there is no collateral or lien on property of the debtor securing the claim or to the extent that the value of such property is less than the amount of the claim.

6. UNSECURED PRIORITY CLAIM: _____
Specify the priority of the claim.
☐ Wages, salaries, or commissions (up to \$2000, earned not more than 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier)—11 U.S.C. § 507(a)(2)
☐ Contributions to an employee benefit plan—U.S.C. § 507(a)(4)
☐ Up to \$300 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use—11 U.S.C. § 507(a)(5)
☐ Taxes or penalties of governmental units—11 U.S.C. § 507(a)(7)
☐ Other—11 U.S.C. § 507(a)(2), (a)(5)—(Describe briefly) _____

TOTAL AMOUNT OF CLAIM AT TIME CASE FILED: \$ 38,046,524* (Unsecured) \$ _____ (Secured) \$ _____ (Priority)

\$ 38,046,524* (Total)

Check this box if claim includes credit card charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.

CREDITS AND SETOFFS: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. In filing this claim, claimant has accounted for all amounts that claimant owes to debtor.

SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interest. If the documents are not available, explain. If the documents are voluminous, attach a summary.

THE STAMPED COPY: To receive an acknowledgement of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any)

Bennett Rushkoff
Bennett Rushkoff, Attorney, F.T.C.

Sept. 25, 1992

001273

SEND CLAIM TO:

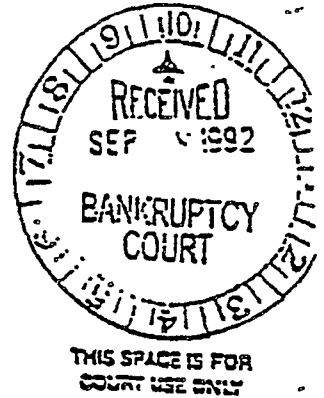
U.S. Bankruptcy Court
600 Towle Building
330 2nd Ave. S.
Minneapolis, MN 5540

EX 58

B-16

MUST BE 12" x 18" (305 x 457 mm) - SIZE (67X11)

United States Bankruptcy Court		PROOF OF CLAIM
District of <u>Minnesota</u>		
Name of Debtor T.G. Morgan, Inc.	Case Number 92-40578 RIK	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" of payment of an administrative expense may be filed pursuant to 11 U.S.C. § 501.		
Name of Creditor (The person or entity to whom the debtor owes money or property) Federal Trade Commission	<input checked="" type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. (Attachment B) <input type="checkbox"/> Check box if you have never received any notice from the bankruptcy court in this case. <input checked="" type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	
Mailing and Addresses Where Notices Should Be Sent Bennett Rushkoff Federal Trade Commission Room 200 6th St. & Pennsylvania Ave., N.W. Washington, DC 20580 Telephone No. (202) 326-3439		
ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:		



BASIS FOR CLAIM:

- ☐ Goods sold
☐ Services performed
☐ Money loaned
☐ Personal injury/wrongful death
☐ Taxes

☒ Other (Describe briefly) violation of § 5(a) of FTC Act

Check here if this claim: ☐ replaces a previously filed claim, dated: _____
☒ amends _____

- ☐ Retiree benefits as defined in 11 U.S.C. § 1114(a)
☐ Wages, salaries, and commissions (Fill out below)
 Your social security number: _____
 Unpaid commissions for services performed from _____ to _____

DATE DEBT WAS INCURRED:

Jan. 1, 1987 to Feb. 10, 1992

IF COURT JUDGMENT, DATE OBTAINED:

March 5, 1992

(Attachment A)

CLASSIFICATION OF CLAIM: Under the Bankruptcy Code all claims are classified as one or more of the following: (1) Unsecured nonpriority, (2) Unsecured Priority, (3) Secured. It is possible for part of a claim to be in one category and part in another. CHECK THE APPROPRIATE BOX OR BOXES that best describe your claim and STATE THE AMOUNT OF THE CLAIM.

SECURED CLAIM:

Attach evidence of perfection of security interest
 Brief Description of Collateral:
☐ Real Estate ☐ Motor Vehicle ☐ Other (Describe briefly) _____

UNSECURED PRIORITY CLAIM:

Specify the priority of the claim.

- ☐ Wages, salaries, or commissions (up to \$2000) earned not more than 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier—11 U.S.C. § 507(a)(2)
☐ Contributions to an employee benefit plan—U.S.C. § 507(a)(4)
☐ Up to \$500 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use—11 U.S.C. § 507(a)(5)
☐ Taxes or penalties of governmental units—11 U.S.C. § 507(a)(7)
☐ Other—11 U.S.C. [§ 507(a)(2), (a)(5)]—(Describe briefly) _____

Amount of mortgage and other charges included in secured claim above:

38,056,174*

UNSECURED NONPRIORITY CLAIM:

A claim is unsecured if there is no collateral or lien on property of the debtor securing the claim or to the extent that the value of such property is less than the amount of the claim.

TOTAL AMOUNT OF

CLAIM AT TIME \$38,046,524*

CASE FILED:

(Unsecured)

(Secured)

(Priority)

\$38,046,524*
(Total)

Check this box if claim includes prepetition charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.

CREDITS AND SETOFFS: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. In filing this claim, claimant has deducted all accounts that claimant owes to Debtor.

SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary.

see attached Statement

THE STAMPED COPY: To receive an acknowledgement of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any)

Bennett Rushkoff
 Bennett Rushkoff, Attorney, F.T.C.

Sept. 25, 1992

001273

SEND CLAIM TO:

U.S. Bankruptcy Court
 600 Towle Building
 330 2nd Ave. S.
 Minneapolis, MN 5540

EX 58

AM C-100
United States Court of Appeals
For The Eighth Circuit
Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, Room 24.329
St. Louis, Missouri 63102

Michael E. Gans
Clerk of Court

VOICE (314) 244-2400
FAX (314) 244-2780
www.ca8.uscourts.gov

April 07, 2022

Mr. Michael W. Blodgett
Unit 901
6500 Woodlake Drive
Richfield, MN 55423

RE: 22-1508 In re: Michael Blodgett

Dear Mr. Blodgett:

Enclosed is a copy of an order entered today in the above case. Mandate is being issued and sent today to the Clerk of the United States District Court.

Michael E. Gans
Clerk of Court

NDG

Enclosure(s)

cc: Ms. Kate M. Fogarty
Mr. Charles John Kovats Jr.

District Court/Agency Case Number(s): 3:92-cr-00123-PAM-1

A2, 4-101
UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

No: 22-1508

In re: Michael W. Blodgett

Petitioner

Appeal from U.S. District Court for the District of Minnesota
(3:92-cr-00123-PAM-1)

JUDGMENT

Before COLLOTON, WOLLMAN, and BENTON, Circuit Judges.

Petition for writ of mandamus has been considered by the court and is denied. The motion to proceed in forma pauperis is also denied. Mandate shall issue forthwith.

April 07, 2022

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

A-1AM-9
A-3, C-102

22-1508 In re: Michael Blodgett

Eighth Circuit Court of Appeals

PRO SE Notice of Docket Activity

The following was filed on 03/10/2022

Case Name: In re: Michael Blodgett
Case Number: 22-1508

Docket Text:

PETITION for Writ of Mandamus (Rec'd by MAIL) filed by Petitioner Michael W. Blodgett w/service 03/03/2022 [5135272] [22-1508]

The following document(s) are associated with this transaction:

Document Description: Petition for Writ of Mandamus
Document Description: Appendix 1
Document Description: Appendix 2

Notice will be mailed to:

Mr. Michael W. Blodgett
Unit 901
6500 Woodlake Drive
Richfield, MN 55423

Notice will be electronically mailed to:

Ms. Kate M. Fogarty: appeals@mnd.uscourts.gov
Mr. Charles John Kovats Jr.: charles.kovats@usdoj.gov,
usamn.ecfeighth@usdoj.gov, caseview.ecf@usdoj.gov, alissa.goessl@usdoj.gov

APPENDIX

-A-3

Appendix A – March 10, 2022 Refusal to Process Mandamus A-1AM-1

United States Court of Appeals

For The Eighth Circuit

Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, Room 24.329

St. Louis, Missouri 63102

Michael E. Gans
Clerk of Court

A-1, C-103

VOICE (314) 244-2400
FAX (314) 244-2780
www.ca8.uscourts.gov

March 10, 2022

Mr. Michael W. Blodgett
Unit 901
6500 Woodlake Drive
Richfield, MN 55423

RE: 22-1508 In re: Michael Blodgett

Dear Mr. Blodgett:

A petition for writ has been filed under the above-referenced number. The matter cannot be referred to the court for a ruling on the merits because you have not paid the required \$500.00 docketing fee.

You must either pay the docketing fee immediately with the check made payable to "Clerk of the United States Court of Appeals for the Eighth Circuit," or file a motion seeking permission to proceed in forma pauperis in this court. Enclosed is an application form for your convenience. We will hold your petition for 21 days pending receipt of the payment or motion. Failure to either pay the fee or file a motion to proceed in forma pauperis within the twenty-one days may result in dismissal of your case.

Upon resolution of the fee, the petition will be submitted to a panel of judges for review. You will be advised of any action taken by the court as soon as possible.

Please note that service by pro se parties is governed by the Eighth Circuit Rule 25B. A copy of the rule and additional information is attached to the pro se party's copy of this notice.

On June 1, 2007, the Eighth Circuit implemented the appellate version of CM/ECF. Electronic filing is now mandatory for attorneys and voluntary for pro se litigants proceeding without an attorney. Information about electronic filing can be found at the court's web site

~~A-1AM~~
~~A-4~~

C104

www.ca8.uscourts.gov. In order to become an authorized Eighth Circuit filer, you must register with the PACER Service Center at <https://www.pacer.gov/psco/cgi-bin/cmecf/ea-regform.pl>. Questions about CM/ECF may be addressed to the Clerk's office.

Michael E. Gans
Clerk of Court

MMH

Enclosure(s)

cc: Ms. Kate M. Fogarty
Mr. Charles J. Kovats Jr.

District Court/Agency Case Number(s): 3:92-cr-00123-PAM-1

22-1508 In re: Michael Blodgett

A-6, L 105

Eighth Circuit Court of Appeals

PRO SE Notice of Docket Activity

The following was filed on 03/16/2022

Case Name: In re: Michael Blodgett

Case Number: 22-1508

Docket Text:

MOTION for leave to proceed on appeal in forma pauperis, filed by Petitioner Michael W. Blodgett w/service 03/03/2022. [5137431] [22-1508]

The following document(s) are associated with this transaction:

Document Description: Motion for IFP

Notice will be mailed to:

Mr. Michael W. Blodgett
Unit 901
6500 Woodlake Drive
Richfield, MN 55423

Notice will be electronically mailed to:

Mr. Charles John Kovats Jr.: charles.kovats@usdoj.gov,
usamn.ecfeighth@usdoj.gov, caseview.ecf@usdoj.gov, alissa.goessl@usdoj.gov

A7, C-106

General Docket

Eighth Circuit Court of Appeals

Court of Appeals Docket #: 21-1215

Docketed: 01/29/2021

Nature of Suit: 2540 Mandamus & Other

Termed: 04/19/2021

Michael Blodgett v. United States

Appeal From: U.S. District Court for the District of Minnesota

Fee Status: In Forma Pauperis

Case Type Information:

- 1) Prisoner
- 2) Federal
- 3) Other

Originating Court Information:

District: 0864-0 : 3:92-cr-00123-PAM-1

Trial Judge: Paul A. Magnuson, U.S. District Judge

Date Filed: 11/04/1992

Date Order/Judgment:
01/05/2021Date NOA Filed:
01/27/2021Date Rec'd COA:
01/28/2021

Prior Cases:

<u>93-2053</u>	Date Filed: 04/27/1993	Date Disposed: 04/28/1993	Disposition: -
<u>93-3485</u>	Date Filed: 10/13/1993	Date Disposed: 10/19/1993	Disposition: -
<u>93-3652</u>	Date Filed: 11/03/1993	Date Disposed: 08/15/1994	Disposition: -
<u>95-1283</u>	Date Filed: 01/31/1995	Date Disposed: 02/07/1995	Disposition: -
<u>95-3114</u>	Date Filed: 08/23/1995	Date Disposed: 09/21/1995	Disposition: Affirmed
<u>95-3115</u>	Date Filed: 08/23/1995	Date Disposed: 09/21/1995	Disposition: Affirmed
<u>96-1880</u>	Date Filed: 04/04/1996	Date Disposed: 10/10/1997	Disposition: Affirmed
<u>99-4310</u>	Date Filed: 12/22/1999	Date Disposed: 02/17/2000	Disposition: Denied

Current Cases:

None

Michael W. Blodgett
Plaintiff - Appellant

Michael W. Blodgett
[NTC Pro Se]
c/o Barb Tivett
1711 First Street, N.
Hopkins, MN 55343

v.

A8 C-107

United States of America
Defendant - Appellee

Charles John Kovats, Jr., Assistant U.S. Attorney
Direct: 612-664-5620
[NTC Asst. U.S. Atty]
U.S. ATTORNEY'S OFFICE
District of Minnesota
Firm: 612-664-5600
600 U.S. Courthouse
300 S. Fourth Street
Minneapolis, MN 55415-0000





Michael W. Blodgett

Plaintiff - Appellant





v.

United States of America

Defendant - Appellee

- | | | |
|------------|--|--|
| 01/29/2021 | <input type="checkbox"/>  | Prisoner case docketed. [4999411] [21-1215] (CBO) [Entered: 01/29/2021 11:58 AM] |
| | 5 pg, 111.28 KB | |
| 01/29/2021 | <input type="checkbox"/>  | Originating court document filed consisting of docket entries, order filed 1/5/2021, and notice of appeal filed 1/27/2021. [4999427] [21-1215] (CBO) [Entered: 01/29/2021 12:21 PM] |
| | 30 pg, 917.01 KB | |
| 01/29/2021 | <input type="checkbox"/>  | CLERK ORDER: If the original file of the United States District Court is available for review in electronic format, the court will rely on the electronic version of the record in its review. The appendices required by Eighth Circuit Rule 30A shall not be required. In accordance with Eighth Circuit Local Rule 30A(a)(2), the Clerk of the United States District Court is requested to forward to this Court forthwith any portions of the original record which are not available in an electronic format through PACER, including any documents maintained in paper format or filed under seal, exhibits, administrative records and state court files. These documents should be submitted within 10 days. [4999428] [21-1215] (CBO) [Entered: 01/29/2021 12:23 PM] |
| | 1 pg, 9.28 KB | |
| 02/11/2021 | <input type="checkbox"/> | RECORD FILED - SEALED PSI REPORT, 1 volumes, Comments: 3 Copies, Source Location: USDC / MN [5003476] [21-1215] (STL) [Entered: 02/11/2021 08:26 AM] |
| 02/17/2021 | <input type="checkbox"/>  | Originating court document filed consisting of originating court order of |

A-9, C-108

	1 pg, 31.68 KB	02/17/2021	<input type="checkbox"/>	02/17/2021 granting petitioner's application to proceed in forma pauperis on appeal, [5005121] [21-1215] (CYZ) [Entered: 02/17/2021 11:08 AM]
02/17/2021	<input type="checkbox"/>			UPDATED fee status - CHANGE TO IFP. [Case Number 21-1215: In Forma Pauperis] [5005123] [21-1215] (CYZ) [Entered: 02/17/2021 11:09 AM]
03/03/2021	<input type="checkbox"/>			Mail sent to Appellant Mr. Michael W. Blodgett on 02/11/2021 was returned on 03/02/2021 Reason Mail Returned: Undeliverable. Appellant is pro se and no forwarding address is available. Unable to forward at this time. [5010244] [21-1215] (NDG) [Entered: 03/03/2021 08:48 AM]
04/14/2021	<input type="checkbox"/>			CASE SUBMITTED Ad Panel Submission before Judges Steven M. Colloton, Roger L. Wollman, Duane Benton in St. Louis [5026713] [21-1215] (CMD) [Entered: 04/19/2021 09:06 AM]
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07/08/2021	<input type="checkbox"/>  1 pg, 78.27 KB			MANDATE ISSUED. [5053040] [21-1215] (CMD) [Entered: 07/08/2021 01:35 PM]

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- ☒ Documents and Docket Report
☐ Documents and Docket Summary
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☐ Include Page Numbers

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A-81 C-84

General Docket
Eighth Circuit Court of Appeals

Court of Appeals Docket #: 21-1215 Nature of Suit: 2540 Mandamus & Other Michael Blodgett v. United States Appeal From: U.S. District Court for the District of Minnesota Fee Status: In Forma Pauperis		Docketed: 01/29/2021 Termed: 04/19/2021																																
Case Type Information: 1) Prisoner 2) Federal 3) Other																																		
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Current Cases: None																																		

Michael W. Blodgett
Plaintiff - Appellant

Michael W. Blodgett
[NTC Pro Se]
c/o Barb Tivett
1711 First Street, N.
Hopkins, MN 55343

C-85

v.

United States of America
Defendant - Appellee

Charles John Kovats, Jr., Assistant U.S. Attorney
Direct: 612-664-5620
[NTC Asst. U.S. Atty]
U.S. ATTORNEY'S OFFICE
District of Minnesota
Firm: 612-664-5600
600 U.S. Courthouse
300 S. Fourth Street
Minneapolis, MN 55415-0000





Michael W. Blodgett

Plaintiff - Appellant





v.

United States of America

Defendant - Appellee

- | | | |
|------------|--|--|
| 01/29/2021 | <input type="checkbox"/>  | Prisoner case docketed. [4999411] [21-1215] (CBO) [Entered: 01/29/2021 11:58 AM] |
| | 5 pg, 111.28 KB | |
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| 01/29/2021 | <input type="checkbox"/>  | CLERK ORDER: If the original file of the United States District Court is available for review in electronic format, the court will rely on the electronic version of the record in its review. The appendices required by Eighth Circuit Rule 30A shall not be required. In accordance with Eighth Circuit Local Rule 30A(a)(2), the Clerk of the United States District Court is requested to forward to this Court forthwith any portions of the original record which are not available in an electronic format through PACER, including any documents maintained in paper format or filed under seal, exhibits, administrative records and state court files. These documents should be submitted within 10 days. [4999428] [21-1215] (CBO) [Entered: 01/29/2021 12:23 PM] |
| | 1 pg, 9.28 KB | |
| 02/11/2021 | <input type="checkbox"/> | RECORD FILED - SEALED PSI REPORT, 1 volumes, Comments: 3 Copies, Source Location: USDC / MN [5003476] [21-1215] (STL) [Entered: 02/11/2021 08:26 AM] |
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A-9, C-86

	1 pg, 31.68 KB	02/17/2021	<input type="checkbox"/>	granting petitioner's application to proceed in forma pauperis on appeal, [5005121] [21-1215] (CYZ) [Entered: 02/17/2021 11:08 AM]
02/17/2021	<input type="checkbox"/>			UPDATED fee status - CHANGE TO IFP. [Case Number 21-1215: In Forma Pauperis] [5005123] [21-1215] (CYZ) [Entered: 02/17/2021 11:09 AM]
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A-10 C-87

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☐ Documents and Docket Summary
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Appellate 9
App-2
United States Court of Appeals
For The Eighth Circuit
Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, Room 24.329
St. Louis, Missouri 63102

Michael E. Gans
Clerk of Court

VOICE (314) 244-2400
FAX (314) 244-2780
www.ca8.uscourts.gov

1A-11, C-88
April 19, 2021

Mr. Michael W. Blodgett
Unit 317
3600 Wooddale Avenue S.
Minneapolis, MN 55416

RE: 21-1215 Michael Blodgett v. United States

Dear Mr. Blodgett:

Enclosed is a copy of the dispositive order entered today in the referenced case.

Please review Federal Rules of Appellate Procedure and the Eighth Circuit Rules on post-submission procedure to ensure that any contemplated filing is timely and in compliance with the rules. Note particularly that petitions for rehearing must be received by the clerk's office within the time set by FRAP 40 in cases where the United States or an officer or agency thereof is a party (within 45 days of entry of judgment). Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. Pro se petitions for rehearing are not afforded a grace period for mailing and are subject to being denied if not timely received.

Michael E. Gans
Clerk of Court

CMD

Enclosure(s)

cc: Ms. Kate M. Fogarty
Mr. Charles John Kovats Jr.

District Court/Agency Case Number(s): 3:92-cr-00123-PAM-1

App-9

C-89

**General Docket
Eighth Circuit Court of Appeals**

Court of Appeals Docket #: 21-1215 Nature of Suit: 2540 Mandamus & Other Michael Blodgett v. United States Appeal From: U.S. District Court for the District of Minnesota Fee Status: In Forma Pauperis		Docketed: 01/29/2021 Termed: 04/19/2021																																
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Current Cases: None																																		

Michael W. Blodgett
Plaintiff - Appellant

Michael W. Blodgett
[NTC Pro Se]
c/o Barb Tivett
1711 First Street, N.
Hopkins, MN 55343

App-7
2-90

v.

Appendix D

United States of America
Defendant - Appellee

Charles John Kovats, Jr., Assistant U.S. Attorney
Direct: 612-664-5620
[NTC Asst. U.S. Atty]
U.S. ATTORNEY'S OFFICE
District of Minnesota
Firm: 612-664-5600
600 U.S. Courthouse
300 S. Fourth Street
Minneapolis, MN 55415-0000





Michael W. Blodgett





Plaintiff - Appellant

v.

United States of America

Defendant - Appellee

- | | | |
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| 01/29/2021 | <input type="checkbox"/>  | Prisoner case docketed. [4999411] [21-1215] (CBO) [Entered: 01/29/2021 11:58 AM] |
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APPENDIX

Appendix A – March 10, 2022 Refusal to Process Mandamus ~~A-1AM-1~~

United States Court of Appeals

For The Eighth Circuit

Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, Room 24.329

St. Louis, Missouri 63102

Michael E. Gans
Clerk of Court

A-7, IC-92

VOICE (314) 244-2400
FAX (314) 244-2780
www.ca8.uscourts.gov

March 10, 2022

Mr. Michael W. Blodgett
Unit 901
6500 Woodlake Drive
Richfield, MN 55423

RE: 22-1508 In re: Michael Blodgett

Dear Mr. Blodgett:

A petition for writ has been filed under the above-referenced number. The matter cannot be referred to the court for a ruling on the merits because you have not paid the required \$500.00 docketing fee.

You must either pay the docketing fee immediately with the check made payable to "Clerk of the United States Court of Appeals for the Eighth Circuit," or file a motion seeking permission to proceed in forma pauperis in this court. Enclosed is an application form for your convenience. We will hold your petition for 21 days pending receipt of the payment or motion. Failure to either pay the fee or file a motion to proceed in forma pauperis within the twenty-one days may result in dismissal of your case.

Upon resolution of the fee, the petition will be submitted to a panel of judges for review. You will be advised of any action taken by the court as soon as possible.

Please note that service by pro se parties is governed by the Eighth Circuit Rule 25B. A copy of the rule and additional information is attached to the pro se party's copy of this notice.

On June 1, 2007, the Eighth Circuit implemented the appellate version of CM/ECF. Electronic filing is now mandatory for attorneys and voluntary for pro se litigants proceeding without an attorney. Information about electronic filing can be found at the court's web site

C-83

www.ca8.uscourts.gov. In order to become an authorized Eighth Circuit filer, you must register with the PACER Service Center at <https://www.pacer.gov/psco/cgi-bin/cmecf/ea-regform.pl>. Questions about CM/ECF may be addressed to the Clerk's office.

Michael E. Gans
Clerk of Court

MMH

Enclosure(s)

cc: Ms. Kate M. Fogarty
Mr. Charles J. Kovats Jr.

District Court/Agency Case Number(s): 3:92-cr-00123-PAM-1

C-94

Caption For Case Number: 22-1508

In re: Michael W. Blodgett

Petitioner

In re: Michael W. Blodgett

Appendix of Separate Booklet Attachments For Each Claim Under Mandamus

Copies of Exhibits Available On Request

Attached by Reference

PETITION · GENERAL IN AID OF EXERCISE OF JURISDICTION · APPENDIX

Attached to Petition PP. 27 - 31

CLAIM I Booklet

AMG FTC § 13(b) damages for both Blodgetts under vertical stare decisis; *Salazar v. Ramah Navajo Ch.*, 132 S. Ct. 2181, 2190-91 (2012).

CLAIM II Booklet

Reversal of Mr. Blodgett's 1993 conviction *Blodgett v. United States* 3-92-123 Appeal No. 21-1215. Based on actual innocence, March 4, 1992 contract in case No. 4-91-638. In FTC § 13(b) case *FTC v. T. G. Morgan, Inc. Michael W. Blodgett, Defendants, and Non-party Spouse of Defendant* (D. Minn.), interference with counsel *Johnson v. Zerbst*, and *Napue v. Illinois*;

CLAIM III Booklet

Appointing Amicus or Master to address Eighth Circuit and FTC laundering of \$30,000,000 and ERISA violating 11 U. S. C. § 704 in breach of contract and violation of ERISA; And to provide indemnifications.

CLAIM IV Booklet

Appointing Amicus or Attorney to obtain equity and ERISA for Diane Blodgett from a locked memory-care unit, as tampering with the Blodgetts as interference with RICO victims and witnesses and breach of the contractual duties of good faith and fair dealing. Getting money damages and her 1865 family farm. Where she is held incommunicado in Minnesota without being able to revoke a power of attorney or exercise her religious freedom or freedom to contract or claim *AMG* or other damages under J. Gallagher. *State v. Hershberger*, 462 N. W. 2d 393 (Minn. 1990) *Minnesota v. Hershberger*, 110 S. Ct. 1918 (1990) *U. S. v. Winstar*, 518 U. S. 839 (1996). *AMG*. Final Order is a contract. Court retained jurisdiction.

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 21-1215

Michael W. Blodgett

Appellant

v.

United States of America

Appellee

Appeal from U.S. District Court for the District of Minnesota
(3:92-cr-00123-PAM-1)

ORDER

Appellant's motion to reinstate the appeal is denied.

September 10, 2021

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

United States Court of Appeals
For The Eighth Circuit
Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, Room 24.329
St. Louis, Missouri 63102

Michael E. Gans
Clerk of Court

VOICE (314) 244-2400
FAX (314) 244-2780
www.ca8.uscourts.gov

April 19, 2021

Mr. Michael W. Blodgett
Unit 317
3600 Wooddale Avenue S.
Minneapolis, MN 55416

RE: 21-1215 Michael Blodgett v. United States

Dear Mr. Blodgett:

Enclosed is a copy of the dispositive order entered today in the referenced case.

Please review Federal Rules of Appellate Procedure and the Eighth Circuit Rules on post-submission procedure to ensure that any contemplated filing is timely and in compliance with the rules. Note particularly that petitions for rehearing must be received by the clerk's office within the time set by FRAP 40 in cases where the United States or an officer or agency thereof is a party (within 45 days of entry of judgment). Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. Pro se petitions for rehearing are not afforded a grace period for mailing and are subject to being denied if not timely received.

Michael E. Gans
Clerk of Court

CMD

Enclosure(s)

cc: Ms. Kate M. Fogarty
Mr. Charles John Kovats Jr.

District Court/Agency Case Number(s): 3:92-cr-00123-PAM-1

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 21-1215

Michael W. Blodgett

Plaintiff - Appellant

v.

United States of America

Defendant - Appellee

Appeal from U.S. District Court for the District of Minnesota
(3:92-cr-00123-PAM-1)

JUDGMENT

Before COLLOTON, WOLLMAN, and BENTON, Circuit Judges.

The decision of the district court is affirmed under Eighth Circuit Rule 47A(a).

April 19, 2021

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

**Additional material
from this filing is
available in the
Clerk's Office.**